

The opinion in support of the decision being entered today was **not**  
written for publication is **not** binding precedent of the Board.

(5/31/02)  
FCB  
Paper No. 22

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

MAILED

MAY 31 2002

Ex parte RANDALL A. ADDINGTON et al.

PAT. & T.M. OFFICE  
BOARD OF PATENT APPEALS  
AND INTERFERENCES

Application 09/396,531  
Appeal 2002-1120

DECISION ON REQUEST

On May 3, 2002, Applicants filed a Letter (Paper No. 21) entitled "Complaint" noting that there may have been undue delay in the examination of this application, and requesting that an explanation of the delay be made and that the appeal oral hearing be scheduled as soon as possible.

On May 23, 2002, a telephone call was placed with counsel for the applicants, Mr. Joel I. Rosenblatt, and the undersigned with regard to the Letter. It was agreed to forego remanding the application at this time for the purpose of explaining the delay, so as to expedite the scheduling of the Oral Hearing for this appeal. After the decision on the merits is rendered by the

Application 09/396, [REDACTED]  
Appeal 2002-1120

Board of Patent Appeals and Interferences, counsel may reinstate the request with regard to providing an explanation of undue delay while the application was pending in the assigned technical center.

Accordingly, this application will be assigned to the next available date for an Oral Hearing.

By:



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